

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

CYNTHIA RUSSO, LISA BULLARD,  
RICARDO GONZALES, INTERNATIONAL  
BROTHERHOOD OF ELECTRICAL  
WORKERS LOCAL 38 HEALTH AND  
WELFARE FUND, INTERNATIONAL  
UNION OF OPERATING ENGINEERS  
LOCAL 295-295C WELFARE FUND, AND  
STEAMFITTERS FUND LOCAL 439, on  
Behalf of Themselves and All Others Similarly  
Situated,

Plaintiffs,

v.

WALGREEN CO.,

Defendant.

Civil No. 1:17-cv-02246

Judge Edmond E. Chang

Magistrate Judge Sheila Finnegan

**PLAINTIFFS' MOTION FOR LEAVE  
TO EXCEED PAGE LIMITS FOR THE  
REPLY MEMORANDUM IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR CLASS CERTIFICATION**

Plaintiffs Cynthia Russo, Lisa Bullard, Ricardo Gonzales, International Brotherhood of Electrical Workers Local 38 Health and Welfare Fund, International Union of Operating Engineers Local 295-295C Welfare Fund, and Steamfitters Fund Local 439 ("Plaintiffs") respectfully move for leave to file a reply memorandum of up to 40 pages in support of Plaintiffs' November 17, 2022 Motion for Class Certification (the "Motion"). Having met and conferred, Defendant Walgreens Co. ("Walgreens") opposes Plaintiffs' request for leave to file a reply memorandum of up to 40 pages, however does not oppose leave to file a reply memorandum of up to 30 pages. In support of the motion, Plaintiffs state as follows:

1. On March 24, 2022, the Parties jointly moved for leave to exceed the page limits for class certification contained in Local Rule 7.1 (the "Joint Agreed Motion"), seeking leave for: (i) Plaintiffs to file a motion for class certification of up to 40 pages; (ii) Walgreens to file a

memorandum in opposition to Plaintiffs' Motion of up to 50 pages; and (iii) Plaintiffs to file a reply memorandum of up to 50 pages. (ECF No. 518).

2. On March 28, 2022, the Court granted the Joint Agreed Motion, in part, limiting Plaintiffs' opening memorandum to 30 pages, Walgreens' response memorandum to 40 pages, and Plaintiffs' reply memorandum to 20 pages. (ECF No. 519).

3. On February 15, 2023, Walgreens moved for leave to file an opposition memorandum of up to 50 pages. (ECF No. 572). In support of its motion, Walgreens stated that "in light of the need to engage in a robust discussion of the considerable record generated through discovery, as well as complex questions of law spanning multiple jurisdictions and relating to two different types of class members, consumers and TPPs, it would be extremely difficult for it to present all of its arguments in 40 pages." (*Id.*, ¶5). Walgreens also stated that "If the Court also wishes to grant Plaintiffs an additional 10 pages for their reply, Walgreens would not object." (*Id.*, ¶9). Plaintiffs opposed Walgreens' motion and respectfully requested that if the Court were inclined to grant Walgreens' motion that the Court enter the Parties' originally agreed page limits and provide Plaintiffs leave to file a reply memorandum of up to 50 pages in further support of the Motion for Class Certification, which would reflect the principle embodied in Northern District of Illinois Local Rule 7.1 that provides an equal page limit applicable to all memoranda. (ECF No. 573, ¶7).

4. The Court granted Walgreens' motion on February 16, 2023. (ECF No. 575).

5. Having reviewed Walgreens' opposition and begun drafting the reply memorandum, Plaintiffs have determined that responding to the arguments raised by Walgreens will require approximately 40 pages in total to address what Walgreens has acknowledged is a

“critical and consequential” motion. (ECF No. 572, ¶7). Plaintiffs’ request is reasonable in light of the scope and number of arguments raised in Walgreens’ opposition.

6. Having conferred, Walgreens opposes Plaintiffs’ request for leave to file a reply memorandum of up to 40 pages, however, does not oppose leave to file a reply memorandum of up to 30 pages. Ex. 1.

WHEREFORE, Plaintiffs respectfully request that the Court grant Plaintiffs’ Motion for Leave to Exceed Page Limits for the Reply Memorandum in Support of Plaintiffs’ Motion for Class Certification.

Dated: June 1, 2023

Respectfully submitted,  
**SCOTT+SCOTT ATTORNEYS AT LAW LLP**

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document was filed electronically through the Court's Electronic Case Filing System, which will then send a notification of such filing to the registered participants as identified on the Notice of Electronic Filing.

/s/ Joseph P. Guglielmo  
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